

## NYS Soil & Water Conservation Committee

1 Winners Circle, Albany, NY 12235 – Telephone (518) 457-3738

### STATE COMMITTEE MEETING

March 11, 2003 – Binghamton

**Present:** D. Hill, Chair; C. Yunker, G. Proios, Voting Members; R. Kaplewicz, Director; E. Svenson, J. Schumacher, Staff; B. Brower, Essex SWCD; C. McElwee, Broome SWCD; J. Mulford, Otsego SWCD; C. Nellis, Montgomery SWCD; K. Czymmek, CCE; D. Fox, Cornell University; S. Machovec, R. Lewis, USDA-NRCS; R. Zimmerman, S. Collins, J. Rusnica, D. Cordier, NYS DAM; B. Silvestri, B. Steinmuller, Schenectady SWCD; G. Chartier, T. Boekeloo, B. Morton, NYS DEC; L. Travis, NYCDEA; A. Cartin, NYACD; J. Herring, NYS DOS; M. Mahany, Guest; P. Black, SUNY-ESF.

#### Call To Order

Meeting convened at 10:15 a.m.

Introductions were made. R. Kaplewicz welcomed Danny Fox, Cornell College of Agriculture and Life Sciences, to the State Committee.

#### Review Minutes

**C. Yunker moved to approve the January 2003 minutes with corrections submitted by G. Proios; seconded by G. Proios. Motion passed; carried.**

#### Correspondence – R. Kaplewicz

##### Letters & Memos

1. From Robert K. Davies, NYS DEC, to State Forest Stewardship Coordinating Committee Members, regarding State Priority Plan for Implementation of the Forest Land Enhancement Program, March 3, 2003.
2. From Francis Dunwell, Coordinator Hudson River Estuary Program, to D. Hill, R. Kaplewicz, regarding the development of a proposal from the NYS DEC Hudson River Estuary Program for a River Estuary Wildlife Habitat Incentives Program (WHIP). February 19, 2003.
3. From Mary O. Donohue, Lieutenant Governor, regarding the launching of the long anticipated Quality Communities Clearinghouse, Website available on [www.dos.state.ny.us/qc](http://www.dos.state.ny.us/qc). February 28, 2003.
4. From John W. Lincoln, President of the New York Farm Bureau, to Governor Pataki, letter of thanks for the Governor's attendance at a recent meeting with the Executive Committee of the New York Farm Bureau regarding EPF funding. February 24, 2003.
5. From Richard W. Svenson, Director of the Bureau of Community Sanitation, NYSDOH, to Ron Kaplewicz, letter of invitation to participate as a member of the newly created Department of Health Onsite Wastewater Treatment System Advisory Committee. February 10, 2003.
6. From Samuel W. Speck, Chairman of the Great Lakes Commission, to Friends of the Great Lakes, regarding the 2003 Semiannual Meeting to be held on April 15-17, 2003 in Indianapolis, IN. February 21, 2003.
7. From Dennis Hill, to Melissa Hammond, Technical Service Provider Coordinator, NRCS, regarding the State Committee's comments on the TSP interim final rule. February 19, 2003.

##### Reports & News Letters

1. **NASCA Update**, Notes from President Steve Cauthen, February 2003.
2. **Central New York Regional Planning and Development 2002 Annual Report**.
3. **2003 Winter Newsletter and 2002 Annual Report**, Warren County SWCD. Stormwater in the West Brook Watershed.
4. **Herkimer County SWCD 2002 Annual Report**.
5. **Farm Bill 2002, What's in it for You**, Conservation Practices and Programs for Your Farm.
6. **CTIC Partners**, January/February 2003, Technical Service Providers, More Assistance for Producers, International Conservation Series, Israel, Vol. 21 No. 1.
7. **Buffer Notes**, \$209 Million CREP For Nebraska, January 2003.

### Conferences & Seminars

1. Great Lakes Commission, 2003 Semiannual Meeting to be held on April 15-17, 2003, Indianapolis, IN.
2. Agriculture in the Hudson Valley, Refueling a Powerful Engine, A One-Day Working Conference at Vassar College, Tuesday March 18, 2003, Poughkeepsie, NY.
3. Train to Keep New York Waters Pure, New York State Onsite Wastewater Treatment Training Network, Sponsored by Delhi College, NYSDEC, and the Onsite Wastewater Treatment Training Network, Various dates available.
4. Moving Toward a Sustainable Great Lakes, June 25-26, 2003, Lake Superior State University, Sault Ste. Marie, Michigan.
5. Money Does Grow on Trees! A Forest Workshop for Today's Landowner. April 5, 2003, Acra, NY.
6. New York State Federation of Lake Associations, Inc. 20<sup>th</sup> Annual Conference, May 2-4, 2003, Lake Moraine, Hamilton, NY.

### Ag. NPS Abatement and Control Program- E. Svenson

#### **STATUS OF ROUNDS I-VIII**

Of 275 projects, 119 are active and 156 are complete. All Round VIII projects are active. There is still one pending contract in Round VI and one in Round VII.

#### **ROUND IX**

Of the 37 projects funded through Round IX, plans of work have been submitted for 24 and contract development is in progress.

#### **Round X**

There will be a Technical Advisory Committee (TAC) meeting on April 1, 2003 to discuss the Round X RFP.

#### AMENDMENT REQUESTS

1. Columbia SWCD – BMP Implementation on 2 CAFOs – Round VII – C700676  
*Request:* change a BMP from manure storage to additional barnyard runoff management  
*Reason:* manure storage no longer being used; additional barnyard components needed  
*Previous amendments:* none  
**C. Yunker moved to approve the amendment; seconded by G. Proios. Motion passed; carried.**
2. Montgomery SWCD – Canajoharie BMP Implementation – Round VII – C700641  
*Request 1:* move BMPs from Restuccia Farm to Moyer, Borchert and Leonard Farms  
*Reason 1:* Restuccia sold his cows; other farms are high priority for BMP implementation  
*Previous amendments:* none  
*Addition of Moyer and Borchert Farms approved by Steve Lanthier, 2/23/03. Addition of Leonard Farm referred to State Committee.*  
C. Nellis presented additional documentation of the need for this amendment.  
**G. Proios moved to approve the amendment; seconded by C. Yunker. Motion passed; carried.**
3. Suffolk SWCD – Wellhead Protection Demonstration Project – Round VII – C700655  
*Request 1:* replace Starkie Farm with Big E Farm; remove petroleum storage BMP  
*Reason 1:* Starkie withdrew due to an accident; Big E Farm needs larger pesticide handling facility  
*Previous amendments:* none  
**G. Proios recused himself. A quorum was not present available for voting on this request. This will be reconsidered at the April Meeting.**

## Staff-Approved Amendments

1. Broome SWCD – Eastern Broome/Southern Chenango CNMP Project – Round VIII – C700671  
*Request:* time extension from 9/30/03 to 12/31/04  
*Reason:* additional time needed to complete project  
*Approved by J. Schumacher, 2/14/03*
2. Broome SWCD – Susquehanna Corridor Ag Implementation Phase II – Round VIII – C700670  
*Request:* time extension from 12/31/03 to 12/31/04  
*Reason:* additional time needed to complete project  
*Approved by J. Schumacher, 2/14/03*
3. Cayuga SWCD – Comprehensive Nutrient Management Planning – Round IX – 5-4  
*Request:* replace 4 farms with 6 new farms  
*Reason:* original farms withdrew, most because nutrient management had been completed  
*Approved by J. Schumacher, 1/22/03*
4. Columbia SWCD – CNMPs on 10 CAFOs – Round VII – C700624  
*Request 1:* time extension from 3/31/03 to 3/31/04  
*Reason 1:* planners still working toward certification  
*Request 2:* change one landowner  
*Reason 2:* lack of match funds; plan completed by NRCS  
*Approved by L. Miller/E. Svenson, 3/4/03*
5. Erie SWCD – CAFO CNMP Project – Round VII – C700663  
*Request:* time extension from 3/31/03 to 3/31/04  
*Reason:* additional time needed to complete CNMPs  
*Approved by T. Brace/E. Svenson, 3/4/03*
6. Montgomery SWCD – Canajoharie BMP Project – Round VII – C700641  
*Request:* time extension from 3/31/03 to 3/31/04  
*Reason:* additional time needed to complete project  
*Approved by S. Lanthier, 2/23/03*
7. Ontario SWCD – Canandaigua Lake Ag Program Phase III – Round VII – C700050  
*Request 1:* time extension from 3/31/03 to 12/31/03  
*Reason 1:* additional time needed to complete BMPs due to staff changes  
*Request 2:* add an additional BMP on a participating farm  
*Reason 2:* need identified in CNMP; additional funds available  
*Approved by T. Brace/E. Svenson, 2/25/03*
8. Orange SWCD – Ag Waste & Nutrient Management in Wallkill – Round IX – 34-1  
*Request:* change several landowners and BMPs, and increase landowner match  
*Reason:* EQIP funding different than expected; some farms already completed projects  
*Approved by L. Miller/E. Svenson, 2/25/03*
9. Orange SWCD – Ag Waste & Nutrient Management in Wallkill – Round VII – C700645  
*Request:* time extension from 3/31/03 to 6/30/03  
*Reason:* additional time needed to complete BMPs  
*Approved by L. Miller/E. Svenson, 2/27/03*
10. Schuyler SWCD – CNMP in the Seneca Lake Watershed – Round VII – C700652  
*Request 1:* time extension from 3/31/03 to 3/31/04  
*Reason 1:* additional time needed to complete CNMPs  
*Request 2:* change one landowner  
*Reason 2:* farm going out of business  
*Approved by T. Brace/E. Svenson, 2/27/03*
11. Schuyler SWCD – Taughannock Creek WS Protection – Round VII – C700616

- Request:* time extension from 3/31/03 to 12/31/03  
*Reason:* BMP implementation delayed due to weather and contractor difficulties  
*Approved by T. Brace/E. Svenson, 2/27/03*
12. Schuyler SWCD – Catherine Creek WS Protection Phase III – Round VI – C700042  
*Request:* time extension from 12/31/02 to 12/31/03  
*Reason:* BMP implementation delayed due to weather, design delays, and farm finances  
*Approved by T. Brace/E. Svenson, 2/27/03*
13. Steuben SWCD – Steuben County CNMP – Round VII – C700653  
*Request:* time extension from 3/31/03 to 9/30/03  
*Reason:* additional time needed to complete CNMPs  
*Approved by T. Brace/E. Svenson, 2/25/03*
14. Suffolk SWCD – Wellhead Protection Demonstration Project – Round VII – C700655  
*Request:* time extension from 3/31/03 to 6/30/03  
*Reason:* additional time needed to complete project  
*Approved by L. Miller/E. Svenson, 2/25/03*
15. Washington SWCD – Halfway Creek AEM Implementation – Round VII – C700056  
*Request:* time extension from 6/30/03 to 12/30/04  
*Reason:* design and construction delays  
*Approved by S. Lanthier, 1/27/03*
16. Westchester SWCD – Whole Farm Planning for Croton/Kenisco WS – Round VII – C700659  
*Request:* time extension from 3/31/03 to 9/31/04  
*Reason:* work being contracted out due to staff shortages  
*Approved by L. Miller/E. Svenson, 2/25/03*
17. Wyoming SWCD – Pavilion Wellhead Protection – Round VI – C700592  
*Request:* move BMP funds to personnel and engineering categories  
*Reason:* BMP expenses under budget, personnel/engineering over budget  
*Approved by T. Brace/E. Svenson, 3/4/03*
18. Yates SWCD – Keuka Lake WS AEM Pilot Implementation Project – Round VI – C700602  
*Request:* time extension from 3/31/03 to 9/30/03  
*Reason:* weather caused delays, additional season needed to complete construction  
*Approved by T. Brace/E. Svenson, 2/27/03*
19. Tompkins SWCD-Comprehensive Nutrient Management Planning in the Southern Fingerlakes  
 Round VII – C700657  
*Request:* time extension from 3/31/03 to 6/30/04  
*Reason:* DEC has granted time extensions to medium CAFOs, so many consultants will not complete until deadline (July 1, 2004)  
*Approved by J. Schumacher, 3/5/03*
20. Steuben SWCD – Steuben County CNMP Project – Round VI – C700653  
*Request:* move \$20,000, personnel services to consultant services  
*Reason:* not necessary to be reimbursed for all of its staff services  
*Approved by T. Brace/E. Svenson, 3/11/03*

**Stormwater Subcommittee Update** - G. Proios

G. Proios reviewed the Stormwater Phase II Participation Survey. B. Brower distributed maps indicating Districts' staffing needs and Districts' plans for providing assistance for Phase II.

R. Kaplewicz noted that the results of the survey should warrant the development of a strategic initiative for District participation in the implementation of Phase II.

G. Chartier advised the Committee that the DEC will be issuing a call for projects for SWCDs and CWQCCs to address stormwater. The survey results are useful for DEC to determine priorities.

G. Proios suggested analyzing upcoming District workloads for various programs to determine where the greatest resource needs exist.

**Principals Meeting** – R. Zimmerman

The Principals Meeting is tentatively scheduled for September. The meeting is planned to be a “show and tell” event to highlight the work that the State Committee is regularly engaged in.

L. Travis offered CDEA assistance. The subcommittee will meet to discuss location, and agenda.

G. Proios suggested a location near Cornell University.

**Farm Bill Comments** – R. Kaplewicz

In the past months there have been many opportunities to comment on new Farm Bill Programs. R. Kaplewicz noted that there is still time to comment on the Technical Service Provider (TSP) Rule.

S. Machovec discussed the process for enrolling agency and private sector TSPs. Interested parties can register to become a TSP online at [www.techreg.usda.gov](http://www.techreg.usda.gov). S. Machovec noted that the system is still being fine-tuned, but is up and running. R. Kaplewicz added that the State Committee will encourage all SWCDs to register to become a TSP through NRCS. It was noted that TSPs still need NYS certification to certify Appendix B for CAFO permits, but they will also need NRCS certification to be eligible for TSP reimbursement for implementation through federal programs. TSPs in NYS should not limit themselves to only holding planning certifications, but they should be made aware of the full range of certification possibilities through NRCS. Pending approval from the State Conservationist, reciprocity will be given to those who have been certified through New York State.

K. Lewis asked Machovec if NRCS is certifying individuals or agencies. Machovec responded that anyone from the agency can work on a project, but only the certified employee can sign off on it.

Comments for the Conservation Security Program (CSP) are due on March 20<sup>th</sup>. The CSP is a voluntary program that will provide payments for producers who have historically practiced good stewardship on their agricultural lands and incentives for those who want to do more. R. Lewis led a subcommittee to develop comments on the new proposed program for which rules have not been developed yet. The group included S. Collins (Ag. and Mkts.), J. Ten Eyck (NYSSWCC), and P. Ray (NRCS). R. Lewis reviewed highlights of the program and also distributed the subcommittee’s draft comments. It was requested of the Committee to email R. Lewis by Friday with any additional ideas or comments. Two key points of the subcommittee’s concerns are to ensure locally led implementation of the program and utilize AEM as a compatible program.

**NACD Annual Meeting Report** – R. Kaplewicz, G. Proios

R. Kaplewicz told the Committee that NYS should make a point of attending regional and national meetings to express our ideas and promote our programs. R. Kaplewicz and G. Proios gave a report to the Committee on the highlights of the National Conference.

Dutchess County District Board Director Margaret Fettes was presented the NACD 2002 Special Service Award. This national award is presented to a District leader who has made outstanding contributions to NACD and the District movement. G. Proios recommended that the State Committee recognize Margaret on her award. She has been highlighted in our most recent “Down to Earth.”

Kaplewicz and Proios agreed that the conference was a great opportunity for New York to gain national exposure.

**Environmental Stewardship Award Program Discussion** – R. Zimmerman

R. Zimmerman first spoke of the current budget constraints facing New York State. He advised the Committee that the State Division of Budget has mandated that all agencies take a close look at expenditures to maintain a positive cash balance. Zimmerman noted that the Department of Ag. and Mkts. is examining their budget on a Division by Division basis.

Each year an environmental stewardship award is given at the Empire Farm Days. The award has been sponsored in part by Ag. and Mkts., the Empire State Potato Club and the *Agriculturalist*. As the AEM program moves forward, Ag and Mkts. is discussing ways that the current award can be adapted to be more reflective of the AEM program. R. Zimmerman asked the Committee if this is something that the Committee wants to pursue.

Discussion ensued regarding the award program. It was noted that the award should be more consistent with AEM criteria. R. Zimmerman told the Committee that the Department of Ag. and Mkts. will touch base with the Empire State Potato Club and the *Agriculturalist* to discuss the Department's thoughts on the award program.

**Annual Plan Approval**

**G. Proios moved to approve the following Annual Plans; seconded by C. Yunker. Motion passed; carried.**

- Allegany
- Cayuga
- Delaware
- Genesee
- Hamilton
- Oneida
- Ontario
- Oswego
- Chenango
- Putnam
- Suffolk
- Clinton
- NYC
- Sullivan
- Washington
- Seneca
- Wayne
- Wyoming
- Steuben
- Cortland
- Jefferson
- Tompkins

**MOU Approval**

A copy of the FY '02 MOU was distributed. Copies of Attachment A (narrative) are available upon request.

**G. Proios moved to approve the FY '02 MOU; seconded by C. Yunker. Motion passed; carried.**

**Other Reports and Comments** - All

M. Mahany expressed concern over the Susquehanna River Basin Ag. Advisory Committee's proposal to regulate water use on farms in the Basin. M. Mahany has been participating in the meetings; he would like to see more New York farmer participation at the April meeting.

G. Chartier distributed CEM materials. Chartier recognized Bill Morton, Rich Lewis and Barb Silvestri for their outstanding efforts in developing and preparing the material for the Symposium.

S. Machovec reported that the Agricultural Management Assistance (AMA) program may be eliminated from the FY '03 budget. It must be made clear that this program is important in NYS, and it should remain in the FY '03 budget.

B. Silvestri promoted the "Strengthen Districts Through Leadership" session at the Symposium. Silvestri also commended Donna and Oan Somboonlakana for their work in creating the CEM logo.

E. Svenson distributed the NYSSWCC Calendar. R. Kaplewicz asked the Committee to submit updates to the State Committee office.

J. Schumacher promoted the "Staying Alive" session at the Symposium.

P. Black distributed the AWRA Conference notice. He noted that G. Proios and J. Herring will be participating.

G. Proios told the Committee that Suffolk was successful in obtaining an Envirothon Grant and he is working to expand the program to all school districts in Suffolk County. He advised the Committee of the Farm Dinner Lecture series. Suffolk SWCD is working on new farmland protection strategies. G. Proios distributed the Suffolk SWCD report on the South Shore Estuary Stormwater Remediation Program.

R. Zimmerman gave an update on the proposal for the member item to secure funds to enhance AEM in NYS. He expressed a need to form a coalition of support to encourage a successful outcome. Zimmerman asked for organizations to support this proposal.

R. Kaplewicz encouraged State Committee members to stay for the afternoon and participate in classes on this, the first day of the Water Quality Symposium.

**Next Meeting: April 15, 2003.**

Meeting Adjourned at 1:00 p.m.